



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kathryn F. Sykes et al.

Serial No.: 10/669,161

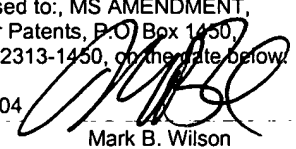
Filed: September 23, 2003

For: METHODS FOR VACCINE  
IDENTIFICATION AND  
COMPOSITIONS FOR VACCINATION  
COMPRISING NUCLEIC ACID AND/OR  
POLYPEPTIDE SEQUENCES OF THE  
HERPESVIRUS FAMILY

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: MCRO:002US

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.	
November 10, 2004	
Date	Mark B. Wilson

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**MS AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

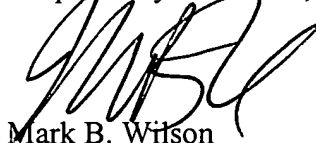
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/MCRO:002US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

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Date: November 10, 2004

Form PTO-1449 (modified)

Atty. Docket No.

MCRO:002US

Serial No.

10/669,161

List of Patents and Publications for Applicant's

Applicant

Kathryn F. Sykes *et al.*

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:

September 23, 2003

Group:

1645

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

See Page 1

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

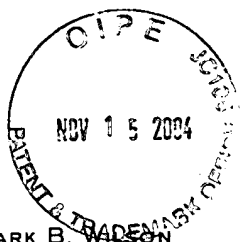
Exam. Init.	Ref. Des.	Citation
	C17	McGeoch <i>et al.</i> , "Comparative sequence analysis of the long repeat regions and adjoining parts of the long unique regions in the genomes of herpes simplex virus types 1 and 2," <i>Journal of General Virology</i> , 72:3057-3075, 1991.
	C18	McGeoch <i>et al.</i> , "The complete DNA sequence of the long unique region in the genome of herpes simplex virus type 1," <i>Journal of General Virology</i> , 69:1531-1574, 1988.

25471723.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.



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November 10, 2004

## CERTIFICATE OF MAILING 37 C.F.R. 1.8

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November 10, 2004

Date

Mark B. Wilson

### MS AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/669,161 entitled "METHODS FOR VACCINE IDENTIFICATION AND COMPOSITIONS FOR VACCINATION COMPRISING NUCLEIC ACID AND/OR POLYPEPTIDE SEQUENCES OF THE HERPESVIRUS FAMILY" – Kathryn F. Sykes et al.*  
*Our reference: MCRO:002US*  
*U.T. reference: UTSD:0833*

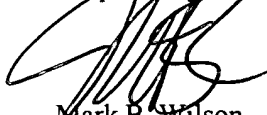
Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, Form PTO-1449, and references C17-C18.

No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/MCRO:002US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

  
Mark B. Wilson  
Reg. No. 37,259

MBW/kmv  
Encl.: as noted